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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/813,195	03/30/2004	Bernd Luhmann	tesa 1634-WCG	5145
27386 7590 12/01/2005			EXAMINER	
NORRIS, MO	CLAUGHLIN & MA	AHMAD, NASSER		
875 THIRD A	· -	ART UNIT	PAPER NUMBER	
18TH FLOOR NEW YORK,		1772	TALER NOMBER	
11EW TORK, 141 10022			1772	
			DATE MAILED: 12/01/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

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		Application No.	Applicant(s)			
Office Action Summary		10/813,195	LUHMANN ET AL.			
		Examiner	Art Unit			
		Nasser Ahmad	1772			
Period fo	The MAILING DATE of this communication apport	pears on the cover sheet with the c	correspondence address			
WHIC - Exter after - If NC - Failu Any	ORTENED STATUTORY PERIOD FOR REPLICHEVER IS LONGER, FROM THE MAILING DISTRICT IN THE MAILING DEPLY WILLIAM STATE THE M	ATE OF THIS COMMUNICATION (36(a). In no event, however, may a reply be tirwill apply and will expire SIX (6) MONTHS from the country of the application to become ABANDONE	N. nely filed the mailing date of this communication. (1) (35 U.S.C. § 133).			
Status						
1)[\]	Responsive to communication(s) filed on 30 N	farch 2004				
2a)□		s action is non-final.				
3)	•		osecution as to the merits is			
٠,١	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.					
Dispositi	on of Claims					
4)⊠	Claim(s) 1-17 is/are pending in the application	ı .				
-	4a) Of the above claim(s)is/are withdrawn from consideration.					
	Claim(s) is/are allowed.					
	Claim(s) is/are rejected.	•				
	Claim(s) is/are objected to.		•			
•	Claim(s) <u>1-17</u> are subject to restriction and/or	election requirement.				
	on Papers					
	The specification is objected to by the Examine	ar				
,	The drawing(s) filed on is/are: a) ☐ acc		Examiner			
10/	Applicant may not request that any objection to the					
	Replacement drawing sheet(s) including the correct					
11)	The oath or declaration is objected to by the Ex					
•	ınder 35 U.S.C. § 119					
•	Acknowledgment is made of a claim for foreign	noriority under 35 U.S.C. & 119/a)-(d) or (f)			
	☐ All b)☐ Some * c)☐ None of:	i priority under 35 5.5.5. § 1 15(a) (d) 5. (1).			
a)ı	1. Certified copies of the priority document	ts have been received				
	2. Certified copies of the priority document		ion No			
	3. Copies of the certified copies of the prior					
	application from the International Burea	*	od III tillo I tational Otago			
* 5	See the attached detailed Office action for a list		ed.			
		or the continue copies not receive				
Attachmen	t(s)	•				
	e of References Cited (PTO-892)	4) Interview Summary				
·	e of Draftsperson's Patent Drawing Review (PTO-948) mation Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	Paper No(s)/Mail Do 5) Notice of Informal F	ate Patent Application (PTO-152)			
	r No(s)/Mail Date	6) Other:				

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DETAILED ACTION

Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - Claims 1-13 and 15-17, drawn to an elastic adhesive sheet, classified in class 428, subclass 40.1.
 - II. Claim 14, drawn to a process for producing an adhesive sheet, classified in class 427, subclass 207.1.

The inventions are distinct, each from the other because of the following reasons:

- 2. Inventions Group II and Group I are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the product can be made by a materially different process such as producing an adhesive sheet by coating the polyurethane adhesive composition onto a backing sheet maintained in a sheet form, instead of winding the backing material.
- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

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4. A telephone call was made to Howard Lee on November 23, 2005 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nasser Ahmad whose telephone number is 571-272-1487. The examiner can normally be reached on 7:30 AM to 5:00 PM, and on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon can be reached on 571-272-1498. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nasser Ahmad

Primary Examiner Art Unit 1772

N. Ahmad. November 28, 2005.